

**quinn emanuel trial lawyers | los angeles**

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February 16, 2017

**VIA U.S. MAIL**

U.S. Environmental Protection Agency  
National Records Management Program (2822T)  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Re: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability  
Litigation, MDL No. 2672 CRB (JSC)

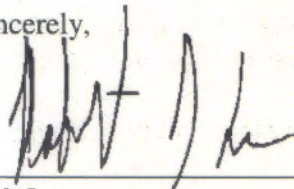
To Whom It May Concern:

On behalf of my clients, owners and lessees of vehicles affected by Volkswagen's illegal practices regarding certain of its vehicles' emissions, I hereby request disclosure of the test data and results the Environmental Protection Agency ("EPA") has relied on in its ongoing negotiations with Volkswagen and its subsidiaries concerning potential modifications to affected vehicles. Although I make this present request informally for the convenience of all concerned parties, I am willing to seek disclosure of the requested information through a formal request pursuant to the Freedom of Information Act, 5 U.S.C. § 552, if necessary.

It is my understanding that the EPA has not independently conducted testing concerning the effectiveness or viability of the modifications Volkswagen has proposed as part of potential settlements of government investigations and related private litigation. Rather, Volkswagen conducted its own tests and submitted the data to the EPA for review. Although I recognize that this arrangement was likely a practical necessity given the massive scope of this matter, Volkswagen's history of deceit concerning the same subject matter renders it of critical importance that this data be made available for public review.

Please advise by Friday, March 3, 2017 whether you will disclose the requested data. If you have any questions or wish to discuss, please feel free to give me a call.

Sincerely,

  
\_\_\_\_\_  
Rob Lee  
Counsel for Certain Plaintiffs

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